

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	79152413
LAW OFFICE ASSIGNED	LAW OFFICE 116
MARK SECTION	
MARK	http://tmng-al.uspto.gov/resting2/api/img/79152413/large
LITERAL ELEMENT	OWN THE SKY
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
ARGUMENT(S)	
<p>This response is being submitted in response to the Office action dated August 5, 2015. Applicant thanks the Examining Attorney for diligent examination of this application.</p> <p>In the Office action, the Examining Attorney asserts that the identification of goods in International Class 012 are indefinite and must be clarified. Applicant hereby amends the identification of goods in International Class 012 consistent with the Examining Attorney's suggestions.</p> <p>Applicant believes the application is now in condition for publication. The Examining Attorney is encouraged to contact the undersigned with any questions regarding this response.</p> <p>Respectfully submitted,</p> <p>B. Anna McCoy Alleman Hall McCoy Russell & Tuttle LLP</p>	

GOODS AND/OR SERVICES SECTION (current)**INTERNATIONAL CLASS**

012

DESCRIPTION

Vehicles, namely, all terrain vehicles; apparatus for locomotion by land, namely, automobiles, motorcycles and buses; apparatus for locomotion by air, namely, airplanes, aircrafts, aircraft carriers, amphibious airplanes, helicopters, jet aircrafts, corporate jets and airborne platforms for serving space crafts and conducting space applications; apparatus for locomotion by water, namely, ships, boats and hovercrafts; apparatus for locomotion by rail, namely, trains; air vehicles, namely, aerostats and unmanned aerial vehicles; space vehicles; launch vehicles used to launch space crafts, satellites, rockets and space flights; dirigible balloons, namely, airships; aerostructures, namely, drones, remote aircrafts, electrically-powered aircrafts, hydroplanes, seaplanes and gliders; apparatus for use in aviation, namely, aeroplanes towing vehicles and trailers; screw-propellers for boats; military vehicles for transport, in particular aircraft; seat covers for vehicles; accessories and connecting elements and fittings for air and space vehicles, namely, aerial conveyors, aerodynamic fairings for vehicles, aerodynamic wings for airplanes, air foils, aircraft dividers made of textile, aircraft and helicopter landing gear, brake discs, brake linings, mechanical parts for aircrafts and helicopters, pneumatic deicers for aircrafts and helicopters, aircraft and helicopter passenger seats, airplane and helicopter fuselages, airplane and helicopter propellers, arm rests, fuel storage systems comprised of fuel storage cells, tank storage, fuel lines, fuel tanks, fuel fill systems, engine compartment components, regulators and a high-pressure fill system, brake discs, tires, ejector seats for aircrafts and helicopters, inner tubes for aircraft wheel tires and vehicle tires, launches, parachutes, rafts, seat belts, structural parts for airplanes and helicopters, sun shields and visors, aeronautical machines in the nature of fixed-wing aircraft, rotary-wing aircraft, namely, helicopters, manned and unmanned aircraft and airframes in the nature of fuselage, wings, control surfaces and undercarriage

GOODS AND/OR SERVICES SECTION (proposed)**INTERNATIONAL CLASS**

012

TRACKED TEXT DESCRIPTION

Vehicles, namely, all terrain vehicles; apparatus for locomotion by land, namely, automobiles, motorcycles and buses; apparatus for locomotion by air, namely, airplanes, aircrafts, aircraft carriers, amphibious airplanes, helicopters, jet aircrafts, corporate jets and airborne platforms for serving space crafts and conducting space applications; apparatus for locomotion by water, namely, ships, boats and hovercrafts; apparatus for locomotion by rail, namely, trains; air vehicles, namely, aerostats and unmanned aerial vehicles; space vehicles; launch vehicles used to launch space crafts, satellites, rockets and space flights; dirigible balloons, namely, airships; aerostructures, namely, drones, remote aircrafts, electrically-powered aircrafts, hydroplanes, seaplanes and gliders; apparatus for use in aviation, namely, aeroplanes towing vehicles and trailers; screw-propellers for boats; military vehicles for transport, in particular aircraft; seat covers for vehicles; ~~accessories and connecting elements and fittings for air and space vehicles, namely, aerial conveyors, aerodynamic fairings for vehicles, aerodynamic wings for airplanes, air foils, aircraft dividers made of textile, aircraft and helicopter landing gear, brake discs, brake linings, mechanical parts for aircrafts and helicopters, pneumatic deicers for aircrafts and helicopters, aircraft and helicopter passenger seats, airplane and helicopter fuselages, airplane and helicopter propellers, arm rests, fuel storage systems comprised of fuel storage cells, tank storage, fuel lines, fuel tanks, fuel fill systems, engine compartment components, regulators and a high-pressure fill system, brake discs, tires, ejector seats for aircrafts and helicopters, inner tubes for aircraft wheel tires and vehicle tires, launches, parachutes, rafts, seat belts, structural parts for airplanes and helicopters, sun~~

~~shields and visors, aeronautical machines in the nature of fixed-wing aircraft, rotary-wing aircraft, namely, helicopters, manned and unmanned aircraft and airframes in the nature of fuselage, wings, control surfaces and undercarriage;~~ accessories and connecting elements and fittings for air and space vehicles, namely, aerial conveyors, aerodynamic fairings for vehicles, aerodynamic wings for airplanes, air foils, aircraft dividers made of textile, aircraft and helicopter landing gear, brake discs, brake linings, mechanical parts for aircrafts and helicopters, pneumatic deicers for aircrafts and helicopters, aircraft and helicopter passenger seats, airplane and helicopter fuselages, airplane and helicopter propellers, arm rests, fuel storage systems comprised of fuel storage cells, storage tanks, fuel lines, fuel tanks, refuel tanks with fuel sensors, brake discs, tires, ejector seats for aircrafts and helicopters, inner tubes for aircraft wheel tires and vehicle tires, launches, parachutes, rafts, seat belts, structural parts for airplanes and helicopters, sun shields and visors, aeronautical machines in the nature of fixed-wing aircraft, rotary-wing aircraft, namely, helicopters, manned and unmanned aircraft and airframes in the nature of fuselage, wings, flight control surfaces and undercarriage

FINAL DESCRIPTION

Vehicles, namely, all terrain vehicles; apparatus for locomotion by land, namely, automobiles, motorcycles and buses; apparatus for locomotion by air, namely, airplanes, aircrafts, aircraft carriers, amphibious airplanes, helicopters, jet aircrafts, corporate jets and airborne platforms for serving space crafts and conducting space applications; apparatus for locomotion by water, namely, ships, boats and hovercrafts; apparatus for locomotion by rail, namely, trains; air vehicles, namely, aerostats and unmanned aerial vehicles; space vehicles; launch vehicles used to launch space crafts, satellites, rockets and space flights; dirigible balloons, namely, airships; aerostructures, namely, drones, remote aircrafts, electrically-powered aircrafts, hydroplanes, seaplanes and gliders; apparatus for use in aviation, namely, aeroplanes towing vehicles and trailers; screw-propellers for boats; military vehicles for transport, in particular aircraft; seat covers for vehicles; accessories and connecting elements and fittings for air and space vehicles, namely, aerial conveyors, aerodynamic fairings for vehicles, aerodynamic wings for airplanes, air foils, aircraft dividers made of textile, aircraft and helicopter landing gear, brake discs, brake linings, mechanical parts for aircrafts and helicopters, pneumatic deicers for aircrafts and helicopters, aircraft and helicopter passenger seats, airplane and helicopter fuselages, airplane and helicopter propellers, arm rests, fuel storage systems comprised of fuel storage cells, storage tanks, fuel lines, fuel tanks, refuel tanks with fuel sensors, brake discs, tires, ejector seats for aircrafts and helicopters, inner tubes for aircraft wheel tires and vehicle tires, launches, parachutes, rafts, seat belts, structural parts for airplanes and helicopters, sun shields and visors, aeronautical machines in the nature of fixed-wing aircraft, rotary-wing aircraft, namely, helicopters, manned and unmanned aircraft and airframes in the nature of fuselage, wings, flight control surfaces and undercarriage

SIGNATURE SECTION

RESPONSE SIGNATURE	/B. Anna McCoy/
SIGNATORY'S NAME	B. Anna McCoy
SIGNATORY'S POSITION	Attorney of Record, Oregon Bar Member
SIGNATORY'S PHONE NUMBER	503-459-4141
DATE SIGNED	09/08/2015
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES

FILING INFORMATION SECTION	
SUBMIT DATE	Tue Sep 08 18:10:08 EDT 2015
TEAS STAMP	USPTO/RFR-70.102.73.244-2 0150908181008967091-79152 413-54082c4ad927aa079734f 259cfd6678b3d857dc9ba7a61 27528fc94ce4cf8f652-N/A-N /A-20150908175454732678

PTO Form 1960 (Rev 9/2007)
OMB No. 0651-0050 (Exp. 07/31/2017)

Request for Reconsideration after Final Action To the Commissioner for Trademarks:

Application serial no. **79152413** OWN THE SKY(Standard Characters, see <http://tmng-al.uspto.gov/resting2/api/img/79152413/large>) has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

This response is being submitted in response to the Office action dated August 5, 2015. Applicant thanks the Examining Attorney for diligent examination of this application.

In the Office action, the Examining Attorney asserts that the identification of goods in International Class 012 are indefinite and must be clarified. Applicant hereby amends the identification of goods in International Class 012 consistent with the Examining Attorney's suggestions.

Applicant believes the application is now in condition for publication. The Examining Attorney is encouraged to contact the undersigned with any questions regarding this response.

Respectfully submitted,

B. Anna McCoy
Alleman Hall McCoy Russell & Tuttle LLP

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 012 for Vehicles, namely, all terrain vehicles; apparatus for locomotion by land, namely, automobiles, motorcycles and buses; apparatus for locomotion by air, namely, airplanes, aircrafts, aircraft carriers, amphibious airplanes, helicopters, jet aircrafts, corporate jets and airborne platforms for serving space crafts and conducting space applications; apparatus for locomotion by water, namely, ships, boats and hovercrafts; apparatus for locomotion by rail, namely, trains; air vehicles, namely, aerostats and unmanned aerial vehicles; space vehicles; launch vehicles used to launch space crafts, satellites, rockets and space flights; dirigible balloons, namely, airships; aerostructures, namely, drones, remote aircrafts, electrically-powered aircrafts, hydroplanes, seaplanes and gliders; apparatus for use in aviation, namely, aeroplanes towing vehicles and trailers; screw-propellers for boats; military vehicles for transport, in particular aircraft; seat covers for vehicles; accessories and connecting elements and fittings for air and space vehicles, namely, aerial conveyors, aerodynamic fairings for vehicles, aerodynamic wings for airplanes, air foils, aircraft dividers made of textile, aircraft and helicopter landing gear, brake discs, brake linings, mechanical parts for aircrafts and helicopters, pneumatic deicers for aircrafts and helicopters, aircraft and helicopter passenger seats, airplane and helicopter fuselages, airplane and helicopter propellers, arm rests, fuel storage systems comprised of fuel storage cells, tank storage, fuel lines, fuel tanks, fuel fill systems, engine compartment components, regulators and a high-pressure fill system, brake discs, tires, ejector seats for aircrafts and helicopters, inner tubes for aircraft wheel tires and vehicle tires, launches, parachutes, rafts, seat belts, structural parts for airplanes and helicopters, sun shields and visors, aeronautical machines in the nature of fixed-wing aircraft, rotary-wing aircraft, namely, helicopters, manned and unmanned aircraft and airframes in the nature of fuselage, wings, control surfaces and undercarriage

Original Filing Basis:

Filing Basis Section 66(a) , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed:

Tracked Text Description: Vehicles, namely, all terrain vehicles; apparatus for locomotion by land, namely, automobiles, motorcycles and buses; apparatus for locomotion by air, namely, airplanes, aircrafts, aircraft carriers, amphibious airplanes, helicopters, jet aircrafts, corporate jets and airborne platforms for serving space crafts and conducting space applications; apparatus for locomotion by water, namely, ships, boats and hovercrafts; apparatus for locomotion by rail, namely, trains; air vehicles, namely, aerostats and unmanned aerial vehicles; space vehicles; launch vehicles used to launch space crafts, satellites, rockets and space flights; dirigible balloons, namely, airships; aerostructures, namely, drones, remote aircrafts, electrically-powered aircrafts, hydroplanes, seaplanes and gliders; apparatus for use in aviation, namely, aeroplanes towing vehicles and trailers; screw-propellers for boats; military vehicles for transport, in particular aircraft; seat covers for vehicles; ~~accessories and connecting elements and fittings for air and space vehicles, namely, aerial conveyors, aerodynamic fairings for vehicles, aerodynamic wings for airplanes, air foils, aircraft dividers made of textile, aircraft and helicopter landing gear, brake discs, brake linings, mechanical parts for aircrafts and helicopters, pneumatic deicers for aircrafts and helicopters, aircraft and helicopter passenger seats, airplane and helicopter fuselages, airplane and helicopter propellers, arm rests, fuel storage systems comprised of fuel storage cells, tank storage, fuel lines, fuel tanks, fuel fill systems, engine compartment components, regulators and a high-pressure fill system, brake discs, tires, ejector seats for aircrafts and helicopters, inner tubes for aircraft wheel tires and vehicle tires, launches, parachutes, rafts, seat belts, structural parts for airplanes and helicopters, sun shields and visors, aeronautical machines in the nature of fixed-wing aircraft, rotary-wing aircraft, namely, helicopters, manned and unmanned aircraft and airframes in the nature of fuselage, wings, control surfaces and undercarriage~~; accessories and connecting elements and fittings for air and space vehicles, namely, aerial

conveyors, aerodynamic fairings for vehicles, aerodynamic wings for airplanes, air foils, aircraft dividers made of textile, aircraft and helicopter landing gear, brake discs, brake linings, mechanical parts for aircrafts and helicopters, pneumatic deicers for aircrafts and helicopters, aircraft and helicopter passenger seats, airplane and helicopter fuselages, airplane and helicopter propellers, arm rests, fuel storage systems comprised of fuel storage cells, storage tanks, fuel lines, fuel tanks, refuel tanks with fuel sensors, brake discs, tires, ejector seats for aircrafts and helicopters, inner tubes for aircraft wheel tires and vehicle tires, launches, parachutes, rafts, seat belts, structural parts for airplanes and helicopters, sun shields and visors, aeronautical machines in the nature of fixed-wing aircraft, rotary-wing aircraft, namely, helicopters, manned and unmanned aircraft and airframes in the nature of fuselage, wings, flight control surfaces and undercarriage

Class 012 for Vehicles, namely, all terrain vehicles; apparatus for locomotion by land, namely, automobiles, motorcycles and buses; apparatus for locomotion by air, namely, airplanes, aircrafts, aircraft carriers, amphibious airplanes, helicopters, jet aircrafts, corporate jets and airborne platforms for serving space crafts and conducting space applications; apparatus for locomotion by water, namely, ships, boats and hovercrafts; apparatus for locomotion by rail, namely, trains; air vehicles, namely, aerostats and unmanned aerial vehicles; space vehicles; launch vehicles used to launch space crafts, satellites, rockets and space flights; dirigible balloons, namely, airships; aerostructures, namely, drones, remote aircrafts, electrically-powered aircrafts, hydroplanes, seaplanes and gliders; apparatus for use in aviation, namely, aeroplanes towing vehicles and trailers; screw-propellers for boats; military vehicles for transport, in particular aircraft; seat covers for vehicles; accessories and connecting elements and fittings for air and space vehicles, namely, aerial conveyors, aerodynamic fairings for vehicles, aerodynamic wings for airplanes, air foils, aircraft dividers made of textile, aircraft and helicopter landing gear, brake discs, brake linings, mechanical parts for aircrafts and helicopters, pneumatic deicers for aircrafts and helicopters, aircraft and helicopter passenger seats, airplane and helicopter fuselages, airplane and helicopter propellers, arm rests, fuel storage systems comprised of fuel storage cells, storage tanks, fuel lines, fuel tanks, refuel tanks with fuel sensors, brake discs, tires, ejector seats for aircrafts and helicopters, inner tubes for aircraft wheel tires and vehicle tires, launches, parachutes, rafts, seat belts, structural parts for airplanes and helicopters, sun shields and visors, aeronautical machines in the nature of fixed-wing aircraft, rotary-wing aircraft, namely, helicopters, manned and unmanned aircraft and airframes in the nature of fuselage, wings, flight control surfaces and undercarriage

Filing Basis Section 66(a) , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /B. Anna McCoy/ Date: 09/08/2015

Signatory's Name: B. Anna McCoy

Signatory's Position: Attorney of Record, Oregon Bar Member

Signatory's Phone Number: 503-459-4141

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the owner/holder in this matter: (1) the owner/holder has filed or is concurrently filing a signed revocation of or substitute

power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 79152413

Internet Transmission Date: Tue Sep 08 18:10:08 EDT 2015

TEAS Stamp: USPTO/RFR-70.102.73.244-2015090818100896

7091-79152413-54082c4ad927aa079734f259cf

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